SCHOOL BUS ACCIDENT RECONSTRUCTION, LLC

The School Bus Collision Investigation Online Newsletter

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- School bus collision preventability must be determined based on a careful school bus collision investigation.
- There are many clearly preventable collisions that can be identified and prevented by the school bus driver.
- There are far fewer non-preventable collisions that can be identified that prevent the school bus driver from preventing the collision.

School Bus Collisions—Preventable or Non-Preventable?

No two school bus and other vehicle collisions are exactly alike. Collisions appearing to be same have different drivers (Ds), different vehicles (Vs) and different environmental conditions (Es) present that may change one collision outcome to another.

The school bus driver decisions regarding collision preventability or non-preventability are often made by transportation supervisors, accident review committees and attorneys in litigation. Decisions made by each of these groups may be based on faulty assumptions and incomplete information.

Attorneys for both parties in litigation often assign percentages of fault for the school bus driver and another for the other driver. Accident review committees determine collision brought to them as school bus driver preventable or non-preventable ones. Transportation Supervisors have the option of determining preventability of a school bus collision on the basis of their own judgment or opinion and not necessarily on all of the relevant facts. School districts without a collision investigator or a school bus collision investigation Team (SBCIT)are obliged to make adetermination about school bus driver performance on the basis of an incomplete investigation. Collision investigations, when complete and done accurately, often identify driver errors on both sides of the collision event.

Some districts have a policy that all school bus collisions are brought to the accident review committee. Other districts provide for Supervisory discretion to bring only those most difficult to determine school bus collisions to the accident review committee. Neither of these decision-making strategies rely on the results of a valid collision investigation. Without a complete collision investigation any determination of preventability by the school bus driver may be a flawed decision.

Collision investigators, individually or as a team, do not have the luxury of selecting the school bus collisions they will investigate. SBCITs investigate near misses and close calls that did not lead to a collision as well as collisions.

Not all school bus collisions are preventable. Yet the majority of decisions made by transportation supervisors and accident review committees determine "preventability" and recommend school bus driver sanctions.

Some types of school bus collisions can be prevented by informed, alert and careful drivers. Those drivers are professionals who adhere to safety policies and procedures in their Department and know what countermeasures are available to them in a potential collision situation. Some countermeasures will require changes in school bus maintenance, equipment, routes, and other procedures and may require additional classroom and on-the-road retraining even for the most experienced and of school bus drivers who for many years have been collision free.

The following guidelines provided in this newsletter should be carefully considered and validated by a collision investigation before final determination is made with respect to the school bus driver's collision preventability.